

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
CENTRAL DIVISION (WORCESTER)

MICHAEL DAWE
Plaintiff,

V.

CAPITAL ONE BANK
Defendant.

CASE NO. 04-40192 FDS

ASSENTED TO MOTION TO CONTINUE
SCHEDULING CONFERENCE

Defendant Capital One Bank moves, with the assent of plaintiff Michael Dawe, to reschedule the Scheduling Conference presently scheduled at 11:45 a.m. on February 25, 2005, to **February 24, 2005**, at a time to be determined by the Court. In support hereof, Capital One Bank states that its counsel was previously scheduled to attend a deposition in a state court proceeding in the matter of *Solimine v. Solimine*, Suffolk Superior Court Civil Action NO. 04-0567.

Date: January 31, 2005

CAPITAL ONE BANK

By its attorney,

Assented to:

MICHAEL DAWE

By his attorney,

/s/ Bruce D. Berns
Bruce D. Berns (BBO# 551010)
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